

U.S. Serial No. 10/025,306

**REMARKS**

Claims 1-27 are pending in the application.

Claims 10-17 and 24-26 are allowed.

Claims 2-8 and 19-22 are objected to.

Claims 1, 9, 18, 23 and 27 are rejected.

The office action dated 2 December 2004 indicates that claims 23 and 27 are rejected under 35 USC §112, second paragraph, for lacking antecedent basis. Claim 23 has been amended to recite "circuit" (which has antecedent basis) instead of "device." Claim 27 has been amended to recite "adding the new user data to unpadded user data in the error-corrected block to form a full block." Antecedent basis for the unpadded user data is provided in claim 26.

The office action also indicates that claims 2-8 and 19-22 contain allowable subject matter, but would be allowed if rewritten in independent form. Claims 2, 3 and 19 have been rewritten in independent form. As a result, claims 2-8 and 19-26 should be allowed. Amended claims 23 and 27 should also be allowed, since they depend from claims 22 and 26, respectively.

The office action also indicates that claims 1, 9 and 18 are rejected under 35 USC §102(e) as being anticipated by Gonzalez U.S Patent No. 6,684,289. These rejections have been rendered moot by the amendments above to claims 1 and 18. Amended claims 1 and 18 now recite storing user data blocks without padding in the write-once memory. Gonzalez does not teach or suggest this feature. Therefore, amended claim 1, its dependent claim 9 (which was amended to overcome a '112 rejection) and amended 18 should be allowed over Gonzalez.

The office action raises objections to certain claims. Objections to claims 2 and 3 have been rendered moot by the amendments above.

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Objections to claims 4-9 and 11-16 are respectfully traversed. It is unnecessary to insert "data storage" in front of "device" since only one device is recited. Therefore, no confusion exists with respect to "device."

Claim 19 has been amended to insert "control" before "circuit," but claim 22 has not been so amended. This amendment is not necessary, since only one circuit is being recited. Therefore, no confusion exists with respect to "circuit." Claim 19 was amended to recite control circuit since it was being amended anyway.

Objections to claims 10 and 18 are respectfully traversed. Claim 10 is correct because the non-volatile memory is stored in the substrate (paragraph 15, line 1, recites that control/interface circuitry 210 and a data buffer 212 are formed in the substrate 114). As for claim 18, "further" should not be inserted in front of "apparatus," since "control circuit" is the first recited element of the apparatus.

If there is still confusion about either claim 10 or 18, or any questions about the other objections, or any issues with the amendments above, the examiner is encouraged to call applicant's attorney Hugh Gortler before issuing another action.

The specification has been amended to indicate that U.S. Serial No. 09/911,974 was issued as U.S. Patent No. 6,535,418.

It is respectfully submitted that the amendments above place the present application in condition for allowance. Reconsideration and allowance of the present application are earnestly solicited